

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

WALTERS METAL CORPORATION,

Plaintiff,

vs.

UNIVERSAL AM-CAN, LTD., THE
MASON AND DIXON LINES,
INCORPORATED, SLIDE-N-RIDE
TRUCKING, INC., J & D TRUCKING, INC.,
JC PILOT CAR SERVICE, CAROLYN
SCHAFFER, J.D. DELANEY and CAREN
RUTH VINSON,

Defendants.

Case No. 13-cv-1271-SMY-DGW

WALTERS METAL CORPORATION,

Plaintiff,

vs.

CARLA HENDRIX, ED HENDRIX,
EMERALD EQUIPMENT ESCORTS LLC,
SLIDE-N-RIDE TRUCKING, INC., J & D
TRUCKING, INC., CAREN RUTH
VINSON, J.D. DELANCY, MELINDA
HILLENBERG and CURTIS WELLS,

Defendants.

Case No. 15-cv-51-SMY-DGW

MEMORANDUM AND ORDER

This matter comes before the Court on defendants J.D. Delancy, J & D Trucking, Inc., Slide-N-Ride Trucking, Inc., and Caren Ruth Vinson's Motion to Consolidate (Doc. 7) this case with *Walters Metal Corporation v. Universal Am-Can, Ltd.*, No. 13-cv-1271-SMY-DGW. No party has responded to the motion. Both cases involve Carmack Amendment and negligence

claims arising out of a December 29, 2012 accident in which a driver transporting Plaintiff's product drove the load into the underside of the Herrin Road Bridge on Interstate Highway 57 causing damage to the load. Pursuant to Federal Rule of Civil Procedure 42(a), a court may consolidate actions when they "involve a common question of law or fact." Here, the two actions involve common questions of both law and fact. As such, the Court **GRANTS** the Motion to Consolidate (Doc. 7) and hereby **CONSOLIDATES** Case Numbers 13-cv-1271-SMY-DGW and 15-cv-51-SMY-DGW. The Court **DIRECTS** the Clerk of Court to file a copy of this Order in 13-cv-1271-SMY-DGW and 15-cv-51-SMY-DGW. All future filings will be made in Case Number. 13-cv-1271-SMY-DGW using the foregoing caption.

IT IS SO ORDERED.

DATED: April 23, 2015

s/ Staci M. Yandle
STACI M. YANDLE
DISTRICT JUDGE